



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL : 7003 1010 0004 2923 7087
RETURN RECEIPT REQUESTED

March 29, 2011

David Bird
Cargill Inc, Salt Division
P.O. Box 6920
Cleveland, Ohio 44101

NON-HPV

FACILITY ID: 13-18-00-0397

NOTICE OF VIOLATION: Operating Emission Units (EUs) without a permit, failure to submit semi-annual deviation reports, and 1st quarter 2010 deviation reports, failure to perform emission testing for EUs F005, F010, and F011, and failure to submit a Permit-to-Operate (PTO) application for EU F002.

Dear Mr. Bird:

On March 1, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Cargill Inc, Salt Division (Cargill Salt) located at 2400 Ships Avenue in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Cargill Salt's operation of the Hamer Line and Trace Mineral Line is in violation of Ohio Administrative Code (OAC) Rule 3745-31-02 (A)(1), and Ohio Revised Code (ORC) 3704.05 (F) and (G) for operating an emissions source without first applying for and obtaining a Permit-to-Install/Operate (PTIO).

Cargill Salt is operating an emergency electrical generator without a permit, which is in violation of OAC Rule 3745-31-02 (A)(1), and ORC 3704.05 (F) and (G) for operating an emissions source without first applying for and obtaining a PTIO or by submitting a Permit by Rule (PBR) notification form.

Cargill Salt failed to submit semi-annual reports for EUs:

1. F010: 42-inch Belt Conveyor with two conveyor-to-conveyor transfer points, which is in violation of Permit-to-Install (PTI) # 13-04584: Reporting Requirements, and ORC 3704.05 (C).
2. F011: Enclosed Rock Salt Conveyor System, which is in violation of PTI # 13-04688: Reporting Requirements, and ORC 3704.05 (C).
3. P001: Mix and Fines Crushing Operation, which is in violation of PTI # 13-04145: Reporting Requirements, and ORC 3704.05 (C).



Cargill Salt failed to submit 1st quarter 2010 deviation reports for EUs:

1. F001: 2 Salt Storage Piles, which is in violation of PTI # 13-04351: Part I General Terms and Conditions (A)(2)(a), and ORC 3704.05 (C).
2. F010, which is in violation of PTI # 13-04584: Part I, General Terms and Conditions (A)(2)(a), and ORC 3704.05 (C).
3. F011, which is in violation of PTI # 13-04688: Part I, General Terms and Conditions (A)(2)(a), and ORC 3704.05 (C).
4. P001, which is in violation of PTI # 13-04145: Part I, General Terms and Conditions (A)(2)(a), and ORC 3704.05 (C).

Cargill Salt failed to perform Emission Testing for EUs:

1. F005: Portable Stacker Conveyor, Front-End Loaders, and Loading/Unloading from Storage Piles, which is in violation of PTIO # P0106635: Testing Requirements (2), OAC Rule 3745-31-02 (A)(1)(c)(ii), and ORC 3704.05 (C).
2. F010, which is in violation of PTI # 13-04584: Testing Requirements (2), OAC Rule 3745-31-02 (A)(1)(c)(ii), and ORC 3704.05 (C).
3. F011, which is in violation of PTI # 13-04688: Testing Requirements (2), OAC Rule 3745-31-02 (A)(1)(c)(ii), and ORC 3704.05 (C).

Also, Cargill Salt failed to submit a PTO application for EU F002: Unpaved Roadway, which is in violation of PTI # 13-3214: Permit to Operate Application, OAC Rule 3745-31-02 (A)(1), and ORC Section 3704.05 (C).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance.

CDAQ requests that Cargill Salt submit the following within thirty (30) days of your receipt of this letter:

1. Submit PTIO applications for the Hamer Line, Trace Mineral Line, and EU F002 to the following address:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

2. Submit either a PTIO application or a PBR notification form for the emergency electrical generator to the following address:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839



3. Submit 1st Quarter 2010 Deviation reports for EUs F001, F010, F011, and P001 to the following address:

Bryan Sokolowski
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

4. Begin performing emission tests for EUs F005, F010, and F011. Schedule and submit an "Intent to Test" notification for each emission test to be performed to the following address:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

5. Begin submitting semi-annual deviation reports for EUs F010, F011, and P001, starting with the January 1, 2011 – June 30, 2011 report due July 31, 2011.

If there is insufficient time to correct the alleged violations within this timeframe, a written response must be received within thirty (30) days of your receipt of this letter that includes a timeline for correcting the alleged violations.

The appropriate permit application(s) and supplemental form(s) can be found at:

<http://www.epa.ohio.gov/dapc/fops/eac/eacforms.aspx>

<http://www.epa.ohio.gov/dapc/pbr/permitbyrule.aspx>

Please note that all permit applications submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are not provided.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars or imprisonment for not more than one year, or both, for each violation.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action.



Should you have any questions, please call Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Cargill Inc, Salt Division: 13-18-00-0397.

Sincerely,

A handwritten signature in cursive script that reads "Linda Kimmy".

Linda Kimmy
Field Enforcement Manager

LK/BS

cc: Bryce Orniston, Cargill Salt
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318000397\2011-3-1 NOV.docx



April 29, 2011

RECEIVED

APR 29 2011

Ms. Linda Kimmey
Field Enforcement Manager
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

*RE: Cargill Inc., Salt Division – Cleveland, OH (Facility ID No. 13-18-00-0397)
March 29, 2011 NOV Response*

Dear Ms. Kimmey:

Cargill, Inc. – Salt Division (Cargill) is submitting this letter in response to the Notice of Violation (NOV) issued by the Cleveland Division of Air Quality (CDAQ) on March 29, 2011, for the salt mine and processing plant located in Cleveland, Ohio (Cleveland Facility). In the NOV, CDAQ states that Cargill must address the following alleged violations of air statutes, regulations, or permit conditions:

1. Failure to apply and obtain a Permit to Install and Operate (PTIO) for the Trace Mineral Line¹ and the Hamer Line.
2. Failure to apply and obtain a PTIO or submit a Permit by Rule (PBR) notification form for an emergency electrical generator located at the Cleveland Facility.
3. Failure to submit semiannual reports for the following emission units:
 - The 42-inch Belt Conveyor with two conveyor-to-conveyor transfer points (F010) per Permit to Install (PTI) 13-04584 (effective date of February 14, 2006)
 - Enclosed Rock Salt Conveyor System (F011) per PTI 13-04688 (effective date of December 7, 2006)
 - Mix and Fines Crushing Operation (P001) per PTI 13-04145 (effective date of June 10, 2003)
4. Failure to submit the 1st Quarter 2010 Deviation Report for the following emission units:
 - Two Salt Storage Piles (F001) per PTI 13-04351 (effective date of January 25, 2005)
 - F010 per PTI 13-04584
 - F011 per PTI 13-04688
 - P011 per PTI 13-04145
5. Failure to perform emission testing for the following emission units:
 - Portable Stacker Conveyor, Front-End Loaders, and Loading/Unloading from Storage Piles (F005) per PTIO P0106635 (effective date of August 10, 2010)
 - F010 per PTI 13-04584

¹ The operations referred to in the NOV as the Trace Mineral Line is referred to by Cargill as the Block Press System. To avoid confusion, the term Block Press System will be used in the remainder of this letter.

- F011 per PTI 13-04688

6. Failure to submit a Permit to Operate (PTO) application for Unpaved Roadways (F002).

With this letter, Cargill will address each alleged violation in separate sections. Each section will provide background information on the issue, and if applicable, corrective actions that Cargill has completed or is scheduled to complete in order to resolve all alleged violations stated in the NOV.

BLOCK PRESS SYSTEM AND HAMER LINE PERMITTING

In accordance with OAC 3745-15-05(B)-(C), the Block Press System (internal emission unit ID F015) and the Hamer Line (internal emission unit ID F016) have been historically categorized as *de minimis*. However, upon reviewing the results of an internal survey, Cargill recently identified that certain F015 and F016 operations are subject to the New Source Performance Standards (NSPS) found in Title 40 of the Code of Federal Regulations, Part 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants (NSPS OOO), since these operations were modified or installed after the NSPS OOO applicability date of August 31, 1983. As such, these two sources are no longer considered *de minimis* and are subject to PTIO requirements per OAC 3745-31.

Cargill is currently in the process of completing the PTIO application for F015 and F016. To ensure that Cargill properly addresses all components of the F015 and F016 PTIO application, it requests that the deadline for submittal of the PTIO application be extended until May 27, 2011. By this date, Cargill will submit the PTIO application via Ohio EPA's Air Services website and to the Permit Section of the CDAQ.

EMERGENCY GENERATOR PERMITTING

Cargill operates a 350 kW diesel-fired emergency electrical generator at the Cleveland Facility. In accordance with OAC 3745-31-03-(A)(4)(b)(i)-(ii), Cargill records demonstrate that the generator operates less than 500 hours per rolling twelve-month period and that the distillate oil used contains less than or equal to 0.5 percent by weight sulfur. Therefore, the emergency electrical generator meets the requirement to obtain a PBR. The PBR notification has been completed but still requires the Plant Manager's signature prior to submittal. The PBR notification for the emergency electrical generator will be submitted via Air Services and sent to the Permit Section of the CDAQ by May 6, 2011.

SEMIANNUAL REPORTS

Included in the reporting requirements for F010, F011, and P001 within PTIs 13-04584, 13-04688, and 13-04145 is the requirement to submit semiannual visible emission reports. Specifically, Cargill shall submit semiannual written reports that identify all days during which any visible fugitive particulate emissions were observed from non-stack egress points serving these emission units and describe any corrective actions taken to eliminate visible particulate emissions. These reports shall be submitted by January 31 and July 31 of each year to the CDAQ and shall cover the previous six-month period.

Cargill completes and maintains daily records of visible fugitive particulate emissions observations from non-stack egress points serving these emissions units. The Cargill quarterly deviation reports that have been previously completed and submitted to the CDAQ include all records of deviations that have occurred for F010, F011, and P001 in the previous quarter. Each quarterly deviation report that Cargill has completed has accounted for visible fugitive particulate emission observations. Therefore, it was Cargill's assumption that two consecutive quarterly deviation reports (i.e., 1st and 2nd or 3rd and 4th quarter reports) that accounted for visible emissions observations, fulfills the semiannual visible emission reporting requirement.

Beginning with the 1st semiannual visible emission report of 2011, which is due July 31, 2011, Cargill will include language in the semiannual reports for F010, F011, and P001 that specifically state whether visible emissions were observed from each emission unit and if corrective actions were taken to eliminate the visible emissions when observed. Cargill asserts that all previous quarterly deviation reports for these emission units have accounted for visible emissions observations and fulfill the semiannual visible emission reporting requirement.

1ST QUARTER 2010 DEVIATION REPORT

According to Cargill records, the 1st Quarter 2010 Deviation Report for F001, F010, F011, and P001 was sent via mail to the CDAQ on April 9, 2010. Cargill is unaware of any issue that could have prevented the report from being received by the CDAQ, however since the report was sent via regular mail, Cargill cannot verify that report was received by the CDAQ. The report was completed and properly addressed any possible deviations for the 1st quarter of 2010. The original report is included as an attachment to this letter and was sent, under separate cover, to Bryan Sokolowski of the CDAQ as specified in the NOV.

Cargill would also like to address an issue regarding two emission unit IDs referenced in the quarterly deviation reports. Specifically, P001 and F011 are incorrectly identified within the quarterly deviation reports as F002 and F003, respectively.² Despite this clerical error, Cargill asserts that all of the deviation reports represent the review of possible deviations for P001 and F011 and not F002 or F003. All future quarterly deviation reports will include the proper emission unit IDs and descriptions.

EMISSION TESTING

On April 08, 2011, Cargill submitted an Intent to Test notification to the CDAQ. The emission testing will be performed by the Mine Services Company Inc. on May 4, 2011, and included the required testing for F005, F010, and F011.

Per PTIO P0106635, visible emissions of fugitive dust from F005 shall not exceed seven (7) percent opacity as a six-minute average from transfer points associated with the portable stacker conveyor. In accordance with the testing requirements of PTIO P0106635 and OAC 3745-31-02(A)(1)(c)(ii) for F005, compliance with the visible emissions of fugitive dust limitation will be demonstrated during

² F002 is the emission unit ID for the Unpaved Roadways as is permitted under PTI 13-3214, while F003 is the emission unit ID for Material Storage Piles that were permitted under PTI 13-3215, but never constructed by Cargill.

visible emission observations performed in accordance U.S. EPA Method 9 and the procedures specified in OAC 3745-17-03(B)(3).

Per PTIs 13-04584 and 13-04688, F010 and F011 shall have no visible fugitive emissions from any non-stack egress point(s) on the conveyor belt covers or on the buildings enclosing the transfer points of the conveyor belt. Compliance with the F010 and F011 visible emissions of fugitive dust limitations will be demonstrated during visible emission observations performed in accordance with U.S. EPA Method 22 and the procedures specified in OAC 3745-17-03(B)(4)(a)-(c).

A comprehensive written report on the results of the emission tests for F005, F010, and F011 will be completed and submitted to the CDAQ by June 3, 2011 (i.e., within thirty days of the completion of the tests).

PTIO APPLICATION FOR F002

The Unpaved Roadways (F002) at the Cleveland Facility is permitted under PTI 13-3214 (effective date of June 11, 1997). However, Cargill has not yet obtained an operating permit for this emission unit. Cargill is currently in the process of completing the PTIO application for F002. To ensure that Cargill properly addresses all components of the F002 PTIO application, it requests that the deadline for submittal of the PTIO application be extended until May 13, 2011. By this date, Cargill will submit the PTIO application via Air Services and to the Permit Section of the CDAQ.

CONCLUSION

Cargill has completed the PBR notification form for the emergency generator and will complete emissions testing for F005, F010, and F011 on May 4, 2011. The emission testing report will be submitted to the CDAQ by June 3, 2011. All issues concerning the semiannual and 1st quarter 2010 deviation report have been resolved. Cargill is currently in the process of completing the PTIO applications for F002, F015, and F016. The F002 PTIO application will be submitted to the CDAQ by May 13, 2011. The F015 and F016 PTIO applications will be submitted to the CDAQ by May 27, 2011.

If you have any questions regarding this letter, please do not hesitate to contact me at (216) 357-4643.

Sincerely,



Bryce Ormiston
Senior Mine Engineer
Cargill Deicing Technology P.O. BOX 6920
Cleveland, Ohio 44101-6920

Ms. Linda Kimmey – Page 5
April 29, 2011

cc: David Bird, Cargill
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V



April 9, 2010

Loreto O. Agdinaoay, Jr.- Environmental Compliance Specialist
Department of Public Health
Division of Air Pollution Control
Cleveland, Ohio 44114-2080
Phone: 216-664-2453, Fax: 216-420-8047

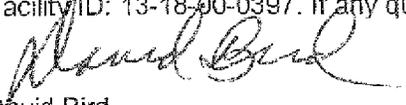
Dear Mr.Loreto. Agdinaoay, Jr.

TOPIC: OAC 3745-31-01, permit to operate for F001.
There is only 1 stockpile as 4/1/2010, the West Stockpile.
Quarterly report for reporting period of Jan.1st to March.31st, 2010, for this quarter.
No air emissions limits were exceeded nor did any deviations occur. In addition,
no air emissions limits were exceeded nor did any deviations occur for 2010.

No air emission limits were exceeded nor did any deviations occur for the months
of Jan., Feb., & March 2010, Mix-N-Fine System, Permit # 13-04145, F002.
In addition, no air emissions limits were exceeded or deviations occur in 2010.

No air emission limits were exceeded nor did any deviations occur for the
months of Jan., Feb., & March, 2010, portable stacker .PTI 13-3399,1318000397,
F005. In addition, no air emission limits were exceeded or any deviations occur
for the year to date, March 31, 2010.

For source F003, bulk loading operations and F010, 42-inch conveyor, for the
months of Jan., Feb., & March, 2010,, no air emission limits were exceeded or did
any deviations occur for this quarter. In addition, no air emission limits were
exceeded nor did any deviations occur for the year to date April 1, 2010.
Warehouse and doors were intact for the quarter, Jan.1 thru March 31, 2010.
I will fax this copy by 4/29/10, and mail additional copy to confirm.
Facility ID: 13-18-00-0397. If any questions, please contact:


David Bird
Plant Environmental Engineer
Cargill Deicing Technology
P.O. Box 6920
Cleveland, Ohio 44101-6920
Phone: 216-357-4617, ext. 4617, Fax: 216-651-1938

cc: Bryce Ormiston
David Pruchenski
file